

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of  
  
Mary Mayles  
  
Respondent

Civil Citation No. 63031  
  
7415 Gunpowder Road

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 4, 2009 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1, 410; Baltimore County Code (BCC) section 13-7-115, 310, 312, failure to remove trucking container, or to convert to a shed, failure to remove all trash from trailer and residential property known as 7415 Gunpowder Road, 21220.

On October 1, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Chip Raynor issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The following persons appeared for the Hearing and testified: Mary and Ashley Mayles and Chip Raynor, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on September 8, 2009 for removal of open dump/junk yard, and to cease illegal Class II trucking facility by removing storage container or making it a shed. This Citation was issued on October 1, 2009.

B. Inspector Chip Raynor testified that the junk, trash and debris violations were corrected prior to this Hearing. The only remaining violation is the storage container. Photographs in the file show a large metal commercial storage container. Inspector Raynor testified that the container cannot remain on the property unless it is converted into a shed by adding siding and a pitched roof.

C. Respondent Mary Mayles testified that she is willing to convert the container into a shed and has begun to add siding. She requested additional time to complete this work and testified she could have it completed by March 2010.

D. County zoning regulations prohibit the storage in a residential zone of truck trailers, or of freight-shipping containers designed to be mounted on chassis for transport. BCZR Section 101.1 (TRUCKING FACILITY; TRUCKING FACILITY, CLASS II); Section 410A; Section 1B01.1 (D.R. Zone Use Regulations). Storing this container outside violates County zoning regulations. Because compliance is the goal of code enforcement, and Respondent has agreed to convert the container into a shed and has begun the necessary work for the conversion, the civil penalty will be rescinded if the violation is corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected by April 5, 2010, with the container either removed from the property or properly converted into a shed with siding and a pitched roof.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 13<sup>th</sup> day of November 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

**NOTICE TO RESPONDENT:** The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.